App. F. IX-4

Previous References. 1940. (Misc) **File No.** 246-40.

94-34-1-4. **Serial Nos.** 1- 8

Later References.

Misc. 102-45-(1-6) April 1945

" 181 55-1-3

" 215-42-1-3

" 244-53-1-3

GENERAL AND REVENUE SECRETARIAT

Serial Nos. 8

Part B for Misc

SUBJECT

Appeal Petition of Naga Hegde, Ananapur Kolarpet Taluk. re. carrying Kanchi Thirtha etc, during the Utsava of Sri Badaveshwaraswamy.

R. 9623-4 dated 22.4.1943.

To the Chief Commissioner, Bangalore.

Dismissed in appeal.

9.6.43.

GENERAL AND REVENUE SECRETARIAT.

(Muz)

NOTES. File No. 246-40

FILE HEADING.

Appeal Petition of Naga Hegde, Anjanapur, Kasaba Hobli, Kasaba Hobli, Kasaba Hobli

Appeal Petition of Naga

100

File No. 246 of 1940.

General and R
Secretariat

Pol 94-34-1-4 is put up and the later Pole dep 92/35 has been destroyed Subd with ref to para 4 supra.

CS 15/1/41 GS 15/1

The Records may be called for

Sd
16.1.41

Sd
16/1

Off to M.C.s subd.

CS 16/1/41 GS 16/1

Sd
16/1

Letter No. 1938 dated 20-1-41 to M.C Calling Requesting for records and a detailed report. 2

Letter No C1267/40-41 from the Mun. Comr submitting records and report. 3

The facts of the case have been fully set forth in the M.C's decision dt 20-12-40 for orders.

CS 15/2/41 GS 15/2/41

The basis of disagreement between the parties is as to who should carry Nandi Dhanyasha in the procession conducted by the appellants' party. The Municipal Comr has after considering the Agents of Sri Ram Dharmi Math ordered that Nandi Dhanyasha should be carried by

GENERAL SECRETARY.
15 JAN. 1941
347

TYPING SECTION
16 JAN. 1941
GEN. & CONFDTL. SECTT.

Mun Appeal Petitions of Naga Heggade &c. of Anjanapur, Closed Pet. No.

General and Revenue Secretariat | Mun File No. 246 of 194 0. | [App. F. III-2

Serial No

caste Lingayats. This is a matter relating to a caste dispute in which Government has nothing to do with it. In so far as it concerns a village Munsif's jurisdiction in a civil suit which the prosecution is to be held, the Mun. Department has sent up to issue instructions as to how the prosecution may be conducted. In this case there seems to be some difference between the views of the Assistant to the Political Agent and of the Assistant Superintendent of Police. The opinion of the latter has the Sub-Magistrate. The Siddanagowda Mutt matter also has been heard. The Superintendent of Police considers that even according to the opinion of the Assistant to Sub-Magistrate, he is competent to try the case and other connected matters. Even he refused to this matter, further enquiry is necessary.

(1) For orders if the case should be posted

Sd/ 19.3.41

2nd Member 19.3.41

17.3.41

SECOND FILE
1 4 1941
No. 9058

GENERAL SECRETARIAT
17 MAR 1941
1901

NOTE—Contn Sheet.

Posted for hearing on 23/4/1941.

(1) Mtg appl 4 of 1940

Mtg File No. 266 of 1940.

General and Rev Secretariat

Serial No.

15/ Case called. Mr Narayana Rao for the appellant & Mr V. Krishna Murti for the respondent represented that a compromise was likely to be effected & prayed for an adjournment. The case was accordingly adjourned.

L
23.10.41

for L

Petition of 20.11.41 from Mr V. Krishna Murthy 4
Advocate for the Respondent in the case intimating that there has been no settlement in the mtg appl 4 of 1940 etc

If both the orders of a reply from the Counsel for the appellant may be awaited or the latter reminded - this a fortnight before he was written to, and no reply has so far been received in the matter

Remind him and also bring up
2) Send the case record to Patna

L
21/11

28/11

Dear L 21/11.

Letter No 896/mtg of 21-11-41 to M. Narayana Rao Esq. Advocate for the plaintiff, asking him whether a compromise has been effected in the case

Letter of 22-1-1942 from Mr M. Narayana Rao, advocate for the plaintiff stating that the case

RECEIVING SECTION
21 NOV 1941

Mysore Appeal 49 of 41-42

General and Revenue Secretariat | My File No. 246 of 1940.41 | [App. F. III-2

Serial No.	
	may be posted for hearing. Subd for orders CKB 20) 27/1/42 21) The case was adjourned as in April as the parties wanted time to effect a compromise & report the same. After repeated reminders N. Narasimha Rao, Counsel for the appellant has stated that the case may be posted to the Saturday in the second week of February as that of a compromise is effected in the time, it will be posted (sd) for orders for The Hon'ble Mr. Justice

27 JAN 1942
4200.

Posted for hearing
on Saturday the
4th July 1942
s
20/5

Reposted for hearing
on Wednesday 30th Sept. 42

7/10/42 Reposted to 28.1.43
Case heard and
reserved for orders.

File No. of 194 .

General and the Secretariat

Serial No.

[illegible] No.4 of 40-41.

Re: Right to carry Pandi Dhuneja and other paraphernalia during the Chokkhasavam of Sri Desaveswara Swami at Anjanapur, Closepet Taluk.

Appellant: Village Headman, Anjanapur, Closepet Taluk.

Respondent: Lujari Pedraiyar residing at the place.

Note.

The facts of the case have been fully set forth in the preamble of Lujari Appeal No.25/39-40 on the file of the Lujari Commissioner's court and are as follows:-

The temple of Sri Desaveswara Swamy at Anjanapur, Closepet Taluk, is a village institution. On account of the strained relations between the Lingayets and the people of the village in regard to the right to bring the Utsava procession with the paraphernalia, the latter had applied for and secured during 1934, the grant of license to the Lingayets who objected to the participation of the Wodears (converted Lingayets) in the procession in regard to the carrying of the paraphernalia (Pandi Dheneja). On appeal, by the Lingayets, the District Magistrate in his order dated 14-11-1934, while upholding the order of the Village Magistrate [illegible] Court [illegible] people [illegible] in which all the evidence [illegible] the case [illegible] [illegible] [illegible]

if that was not done, no license should be granted to either party.

2. Both parties filed a petition before Government on 29-3-1935 stating that the appellants (Lingayets) might be granted license to hold the procession along with carrying "Nandi Waja" and Deity exclusively on particular days and similarly the respondent (i.e. Heggade) might be permitted to do so on other days, that one party should not interfere in any manner when the other party is holding the procession under a license, and that the -- parties if they thought fit, might establish their exclusive rights, if any, in a Civil Court. This joint petition was sent to the District Magistrate and the case was remanded to him for disposal. (Vide Government Order "D" No.P.5616/Pol.94-34-4 dated 6/8-4-1935).

3. The Amildar Magistrate again refused "X" to grant a license in his order dated 20-5-35 on the ground that there was no subsisting agreement between the parties furnishing the details of the compromise, and that they had failed to settle their differences in various matters. On appeal by the Lingayets, the District Magistrate in his order dated -- "Y" 10-7-1935, directed that the Amildar need not give attention to the details such as taking mutchalika, etc., that he might issue a license to the appellants (Lingayets) p'y the conditions which he considered usual and also the procedure which used, and to issue a similar licen opposite party (Heggades) with li and Virudus, so as the latter, the

"K" Note 5. dated 12-5-1935 as agreed to by Reggades.

"Z"

1.Basavanna Image
2. Sudrane Malage
3.Nandi Dhwaja
4.Umbrella
5. Sword
6. Chathas

4. On 5-8-1935, the Amildar issued a license to the Lingayets to perform the Uthsavam from 5-8-1935 to 7-8-1935 with the marginally noted Birudus to be taken along with the procession and this Uthsavam is stated to have been conducted.

"O" 4. The Amildar issued a similar license to the Reggades on 14-8-1935 for performin the Uthsavam from 17-8-1935 to 19-8-1935, specifying the same Birudus as were given to the Lingayets. The archak of the temple refused to hand over the Birudus to the Reggades except Umbrella and Pathas The Amildar directed that the archak might himself tie the "Basavanna Image" to the Nandi Dhaja and accompanyin the procession and attend to Mangalarathi during the procession, failing which he would be punished for withholding the articles, belonging to Government wrongfully.

The archak having petitioned the Deputy Commissioner on 4-11-35 against the Amildar's Order, the Sub-Division Officer was requested to enquire and dispose of the matter.

5. The Sub-Division Officer after necessary enquiry, reported to the Deputy Commissioner that the archak stated that neither party had a right to carry Nandi Dhaja, that it was the practice to carry the Nandi Dhaja by himself, the religious Lingayets at the time of the Uthsavam and sought for instructions in the matter. The Deputy Commissioner obtained the opinion of the Law Officers of this Office and passed orders to the Sub-Division Officer with instructions that he might proceed with the Uthsavam

Institutions where in worship is conducted under Agama Sastra, there is the practice of carrying the Vahanam by all people of the place belonging to "Chatur Varnas" after the deity is seated and fixed on the Vahanam by the Archak, that likewise the Dandi Dhwaja is 15 to 25 or 30 feet in height, that after the Sri Basavanna Devaru image is tied to the Dhwaja by the Archak there can be no objection for carrying the same by Archakars who wear linen, and that the offering of fruits as Naivedana and performing Mangalarathi to the Sri Basavanna Image pertain to Archak duties. A copy of the Agamiks' opinion was sent to the Deputy Commissioner on 14-12-1936 with letter No.C.437/36-37 stating that the practice prevailing in similar Institutions in the State might be ascertained by him by addressing the Deputy Commissioners or Asstts. himself.

6. In reply to the opinion of the Agamiks of this office, Archak Chadraiah gave a statement before the Amildar on 2-9-1939 to the effect that the practice in their Village is that only members of the Archak's family should carry Sri Basavannadevara Dandi Dhwaja, Mudana Veelige, and sword, that Negadees playing Nagas should not touch them, that if Negadees perform the Vahana, the Archaks should carry the above three Paraphernalia and attend to Archana and offer Naivedya, and that if Government wish to enforce the opinion of the Agamiks they would give up the Archak's service and Inam lands.

7. The Sub-division officer in his letter dated 30-9-1939, has observed that

both parties, no mention has been made as to who should carry Pandi Dheja in the processions, but it is clear from the records that this has invariably been done by the archaks, and there is certainly no case in which Pandi Dheja was carried in procession without the attendance of the archaks, that the right claimed by the petitioner that all the paraphernalia should be handed over to him has not been conceded on any occasion and it cannot be granted, that he would however, have the right of taking out a procession with the carrying of Pandi Dheja, on a date to be fixed by the Amildar, provided the ceremonies are performed by the archak. Again, on another petition filed by Raja Heggade, the Sub-division officer ordered on 10-10-1939 that the party cannot claim the right to personally carry Pandi Dheja, that he may take out a procession on a day fixed by the Amildar, and that the archak could do the actual carrying of Pandi Dheja on the occasion.

8. Against the above orders of the Sub-division Officer, Raja Heggade appealed to the Deputy Commissioner. The Deputy Commissioner in his order No. Uz. Appl.3 of 39-40 dated 6-2-1940 observed that according to the terms of compromise contained in the agreement of both parties (Kinayaths and Heggade) dated 29-3-1935 filed before Government, the operative clause therein is as follows:-

"To hold the procession along the car-street, Pandi Dheja and Deity exclusively on particular days and similarly the archaks [illegible] to do so on other days, that is to say that each party should exclusively con

the Temple without the interference of the
party, that the remark is a total
he has to carry out orders and
functions without consulting, that
party, that is
was not a party to
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no objection

iv) The compromise position only means that the Murubars might arrange for a procession, or take part, or to lead a procession but it does not mean that the Murubars can themselves take the Deity and handle it so as to hurt the religious susceptibilities of the Linga[y]et community and Mugari (Appellant).

v) The Lower Court erred in relying on the Elders' opinion, who is competent to speak on Vedic religion but not the Lingayet religion preached by Sri Basaveshwara.

vi) The opinion of any Linga[y]et Mutt, like the Sri Murugarajendra Mutt, the Sri Taleshonnur Mutt, or the Sri Siddaganga Mutt, could be solicited.

vii) The man who carries the Image so as to touch the Deity as in the course of carrying it requires adjustment to lower it, etc., and these practical aspects are ignored.

viii) The Lower Court's Order is opposed to custom and usage and it may be set aside.

~~Rajah Bahadur appealed to the Commissioner against the Deputy Commissioner's order.~~ (10) The Judicial Commissioner consulted the Agent, of the Taleshonnur Mutt who gave an opinion that the Muruvoy and the valeties and similar poly objects which are considered sacred in the Lingayet should be touched by the Deity as the Deity is taken in procession. The Judicial Commissioner held that the procession must be carried out in the manner adopted by the Agent and that the reason given (before Government) could not be the real one, etc., the decision of the Commissioner must be set aside for costs.

(11) The appellant has appe

and has urged the follo in ;ours:-

(i) The Learned uzrai oni ioner i an error in making an order o dea and im- portu to incorporate into i/order, volun- tary by the ent o the ll n t t'.

(ii.) The learned zrai oni ioner i error i no' noticing hat the ct oli o could also be interpreted i favour of , and sent an ellant and hat the proper uestio that fell for eci ion in the ase was, i the appellant, who i also li to' i has taken "risk a" under the ct or i no ue, is no the proper erson to ear lety and he other ol ca ers.

(iii.) The learned zrai oni ioner oul been pl e' to o' the opl - ri e ar ra t , a o fi u ' ut o -ear 'he a t ' u -ca ' thetical ar ent no s o the ater' outre" and not ote o " t - t" o ' a the roper erso to o the ecessary ac ors to ecide ully he ac ors o the ase.

(iv.) The learned zrai oni ioner as ot ro erly ir ct d i s lf as to he ro er ea i g o the ct ' as o ut ' i s ct o .

(v) The ea ed zrai oni ioner i u ' r o ' lo (t ' t ' ' '

lodged before the Government.

(VII) The Learned Muzrai Commissioner should not given weight to the Agamik's opinion in any case and is in error in not noticing that the Veerashaiva religion is not opposed to the Agama and that specially the Kalamukha sect upholds the same, that according to the opinion of the Agamik the deity once installed on the Dhwaja viz., the Dhwaja, could be taken in procession by any member of the "Chatur Varnas".

(VIII.) The Lower Courts should have held that the respondent who was but a servant in the temple amenable to carry out the orders of the authorities, had no locus standi independently to urge the contentions lodged.

(IX). The Learned ~~Revenue~~ Muzrai Commissioner should have been pleased to notice that prima facie he has been set up by the Veerashaivas who are parties to the litigation and against whom the case had been terminated.

(X). The Learned ~~Revenue~~ Muzrai Commissioner is in error in importing to his order the opinion that amongst the lingayet, are to be found what are called caste lingayets as opposed to the other lingayets.

(XI.) The Learned Muzrai Commissioner should have held that this distinction is unknown to the preachings of Basava who aimed ~~at~~ at obliteration of distinctions and preached the doctrine of "Yekikarana"

(XII) The Order of the Learned Muzrai Commissioner is opposed to law, facts and principles.

Assistant Secretary's Note:- The point of disagreement between the parties is as to who should carry Vandi Dhavaja etc., in the pro-

The Mysore Commissioner has further contended that the rent of Sri Ambabhavani Puja or Chandra Bhavaja etc., should be carried over to limi-yets. This is another matter, to case dispute, it should therefore be apparent has nothing to do with the so far as it concerns the village institution in the old, the Court has power to issue instructions as to how the affairs should be conducted. In this case there seems to be some difference between the view of the Mysore Government and the opinion of the other authorities that the rents of the Sri Ambabhavani Puja should be used. The appellant in his contentions that even according to the opinion of the Mysore Government, the rents of the Sri Ambabhavani Puja should be used for the purposes of the village. There is no further argument.

Order

The trial court's order, based upon the opinion given by the Sri B. Kaul is correct - viz that the Mukhtar & witnesses & other persons Courts. be touched only by those who have been Deekshas by Acharya - in regard to the affairs Contention that he is competent by the Deekshas, that is a matter for hearing. Case heard - matter reserved. Order reserved.

The case has been posted for hearing on 23/4/42.

The case has been reposted for hearing on the 28th January 1943.

to substantiate by evidence on the point. The Dewan may give him an opportunity to do so and an opportunity to the Appellant to answer.

The Appeal is dismissed

ML 2573

Mysore Hoysala Right to carry
paraphernalia during the Rathotsava of Sri
at Anjanapur Village, Closepet Taluk.
1071/M.

Mysr File No. 246 of 1940-41

Draft G.O. Submitted

JM
8/4/43

Fair draft put up for approval.

JM
16/4/43
20/4

20/4

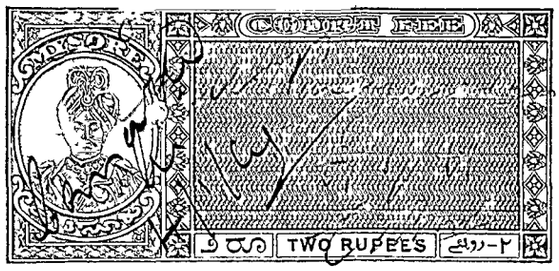
Issued No. R. 8623-4, dated the 22nd April 1943

To - The Mysore Commissioner in Mysore with the records
Deputy Commissioner, Bangalore District

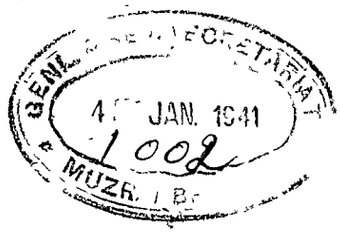
Dismisses the appeal, holding that the orders of the M-C are Correct.

B Recori
JM

12 A. R. 1943
G CTT.



Muz 216 (2) 40



BEFORE THE GOVERNMENT OF H.H. THE MAHARAJA
OF MYSORE, BANGALORE.

Muzrai Appeal No. 4 of 1940-41.

Appellant.- Naga Hegde, son of Hempa Hegde, Anjanapur, Closepet, Taluk.
(Respondent in the court below)

Vs

Respondent.- Tujari Bhadrayya, residing at the same place.
(Appellant in the court below.)

.....

Under section 34 of the Religious and Charitable Endowments' Act, appellant here has appeal from the order dated the 26th Dec. 1940 of the Muzrai Commissioner. in Muzrai Appeal No.26/39-40:

"This appeal relates to take charge of the Basaveswaraswamy of Madanahalli in procession with Nandi Bahana and other paraphernalia. This matter came up before the Government on a former occasion and the disputes relating to this matter between the respondent and the Lingayets who were the opposite party was submitted under a petition dated 20.1.1939, by which they were to hold the procession with the Nandi Bahana and the piety was to be held exclusively by the Lingayets and the

and the respondent on different dates to be fixed by local authority and ~~to the effect that~~ the two respective parties were prohibited from interfering with the rights of the others by Government Order No.R.5616/R.O.L. 94-34-4 dated the 6/6th April 1935. The respondent abovesaid thereupon started another complaint stating that the said compromise did not bind him and that he was exclusively entitled to carry the Nandi Dhwaja. This complaint was enquired into, and the Learned Deputy Commissioner reversing the order of the S.D.O. made an order in appeal No.3/38-40 directing that the Archak was but a servant of the temple and was bound to carry out the orders, that the compromise petition lodged before the Government was clear in terms, that appellant had thereunder a right to carry the Nandi Dwaja and the diety. Pujari Bhadriah thereupon petitioned the Learned Revenue Commissioner who has reversed the order of the Learned Deputy Commissioner. It is from this order that this appeal is preferred on the following amongst other grounds.-

1. The Learned Revenue Commissioner is in error in making an order ex parte and in purporting to incorporate into his order, opinion given by the Agent of the Sri Rambhapuri Mutt.

2. The Learned Revenue Commissioner is in error in not noticing that the said opinion could also be interpreted in favour of the present appellant and that the proper question that fell for decision in the case, was whether the appellant, who is also a Lingayet and who has taken

taken "Diksha" according to the custom in vogue, is not the proper person to touch the diety and the other consecreated articles.

3. The learned Muzrai Commissioner should have been pleased to obtain an opinions from the Sri Ramanapuri Mutt, or the Sri Muragi mutt or even the Sri Siddaganga mutt - opinion as to whether appellant who was of the 'Renuka Sutra' and had obtained 'Siddhantam' by taking 'Diksha' was not the proper person to claim to touch and carry the articles concerned in procession.

4. The Learned Muzrai Commissioner should have held that in the absence of clear instructions in this matter his order could not be sustained.

5. The learned Muzrai Commissioner is in error in purporting to disturb the compromise lodged in this behalf and in opening up the matter for further enquiry - a matter which had been concluded.

6. The Learned Muzrai Commissioner should have held that in the circumstances it should be deemed that the right concerned was conceded to the [illegible] under the Rajpramukh [illegible]tion lodged before the Government.

7. The Learned Muzrai Commissioner should have given weight to the Agamik's opinion in any case and is in error in not noticing that the Jeerasnalvar religion is not opposed to the same

gama and that specially the Rambhapuri mutt holds the same, that according to the opinion of the Agamiks the diety once installed on the Vahana viz., the Dhwaja, could be taken in procession by any member of the 'Chatur Varnas'.

8. The Lower court should have held that the respondent who was out ~~xx~~ a servant in the temple amenable to carry out the orders of the authorities, had no locus standi independently to urge the contentions lodged.

9. The Learned Revenue Commissioner should have been pleased to notice that prima facie he was/been set up by the Veerashaivas who are parties to the litigation and agarnst whom the case had been terminated.

10. The Learned Revenue Commissioner is in error in importing to his order the opinion that amongst the lingayet religion, are to be found what are called caste lingayets as opposed to the other lingayets.

11. The Learned Muzrai Commissioner should have held that this distinction is unknown to the preachings of Basava who aimed at obliteration of distinction and preached the doctrine of "Yekikarana

12. The order of the Learned Muzrai Commissioner is opposed to law, facts and probabilities

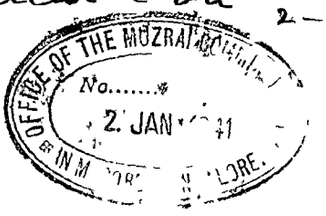
Appellant therefore prays that the Government may be pleased to hear the parties and set the matter at rest finally.

L.T.M.-V
Naga
Reddy.

Bangalore,
3.1.1941.

Advocate for appellant.

As advised on page 6.
Authenticated on 2-1-1941.



In the Court of the Muzrai Commissioner in Mysore,
Bangalore.

Muzrai Appeal No. 25/39-40.

Appellant:-
Pujari Adhadrayya,
Anjanapur, Closepet Taluq.

Vs.

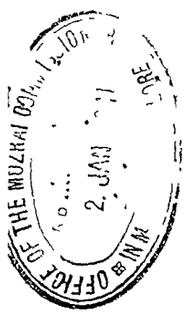
Respondent:-
Naga Heggade, son of
Kempa Heggade,
Anjanapur, Closepet Taluq.

Subject:- This is an appeal against the order passed by the Deputy Commissioner, Bangalore District, in Muzrai Appeal 3 of 39-40, allowing the claim of the Respondent to carry "Nandi Dwaja" and other Paraphernalia during the Uthsavam of Sri Basaveswara-swamy at Anjanapur, Closepet Taluq.

Facts of the Case.

The Temple of Sri Basaveswaraswamy at Anjanapur, Closepet Taluq, is a Village Institution. On account of the strained feelings between the Lingayets and the Heggades of the Village in regard to the right of taking the Deity in procession with the Paraphernalia, the Amildar Magistrate refused during 1934, the grant of license to the Lingayets who objected to the participation of the Kurubars (converted Lingayets) in the procession with regard to the carrying of the Paraphernalia, (Nandi Dwaja). On appeal, by the Lingayets, the District Magistrate in his order dated 14-11-1934, while upholding the order of the Amildar Magistrate, observed that the Temple was a Muzrai Institution, in which all the devotees had a right to expect that their rights were protected, that merely because the members of a particular community form the major portion of the devotees, it could not be held that the Institution belonged to that Community, that it was left for the parties to come to an amicable settlement and that if that was not done, no license should be granted to either party.

2) Both parties filed a petition before Government on 29-3-1935



on 29-3-1935 stating that the Appellants (Lin
might be granted licence to hold one procession along with
carrying "Nandi Dwaja" and Deity exclusively on particular days
and similarly the Respondent (Naga Heggade) might be
permitted to do so on other days, that one party should not
interfere in any manner when the other party is holding the
procession under a licence, and that the parties, if they thought
fit, might establish their exclusive rights, if any, in a
Civil Court. This joint petition was sent to the District
Magistrate and the case was remanded to him for disposal.
(Vide Government order No. P. 5616/Pol. 94-34-4 dated
6/8-4-1935).

3) The Amildar Magistrate again refused to grant a
licence in his order dated 20-5-1935 on the ground that
there was no subsisting agreement between the parties furnishing
the details of the compromise, and that they had failed to
settle their differences in various matters. On appeal by the
Lingayets, the District Magistrate in his order dated
10-7-1935, directed that the Amildar need not give attention
to the details, such as, taking Mutchalika, etc, that he
might issue a licence to the Appellants (Lingayets) party
specifying the conditions which he considered proper and
usual and also the Biruduas which might be used, and
to issue a similar licence to the opposite party (Heggades)
with like conditions and Biruduas, detailed in his note 'A'
dated 12-5-1935 as agreed to by Heggades. Some time later, that he would do well to adopt the Biruduas

Basavanna Image
2. Rudrana Halge.
3. Nandi Dwaja
4 Umbrella
5. Sword
6. Phattas

4) On 5-8-1935, the Amildar issued a
licence to the Lingayets to perform the
uthsavam from 5-8-1935 to 7-8-1935
with the marginally noted Biruduas to be
taken along with the procession and it
is stated to have been conducted.

The Amildar issued a similar licence to the Heggades
on 14-8-1935 for performing the utsavam from 17-8-1935
to 19-8-1935, specifying the same Biruduas as were given
to the Lingayets. The archak of the temple refused to hand
over the Biruduas to the Heggades except umbrella
and phattas. The Amildar directed that the archak
might himself tie the "Basavanna Image" to the Nandi
Dwaja and accompanying the Procession and attend to
Mangalaratti during the Procession, failing which, he
would be punished for with-holding the articles, belonging
to Government wrongfully.

The archak having petitioned the Deputy Commissioner on
4-11-1935 against the Amildar's order, the Sub-Division
Officer

OFFICE OF THE ASSISTANT COMMISSIONER & DEPUTY COMMISSIONER
No. 2

requested to enquire and dispose of the matter.

5) The Sub-Division officer after necessary enquiry reported to the Deputy Commissioner that the archak stated that neither party had a right to carry Nandi Dwaja, that it was the practice to carry the Nandi Dwaja by himself, or religious Lingayets at the desire of the archak, and sought for instructions in the matter. The Deputy Commissioner obtained the opinion of the Agamiks of this office and communicated the same to the Sub-Division officer with instructions that he might proceed with the case and pass orders, leaving the parties to appeal. The opinion of this office Agamiks is that in all institutions, where in worship is conducted under Agama Sastra, there is the practice of carrying the Vahanam by ~~Komatis~~ all people of the place belonging to "Chatur Varna after the Deity is seated and fixed on the Vahanam by the Archak, that likewise the Nandi Dwaja is 15 to 20 or 30 feet in height, that after the Sri Basavanna Devaru image is tied to the Dwaja by the archak, there can be no objection for carrying the same by Lingayats who wear Linga, but that the offering of fruits as Naivedana and performing Mangalaratri to the Sri Basavanna Image pertain to archak duties. A Copy of the Agamiks' opinion was sent to the Deputy Commissioner on 14-12-1936 with letter No. C. 437/36-37 stating that the practice prevailing in similar Institutions in the State might be ascertained by him by addressing the Deputy Commissioners of District himself.

6) In reply to the opinion of the Agamiks of this office, archak Bhadraiah gave a statement before the Amildar on 2-9-1939 to the effect that the practice in their village was that only members of the archaks' family should carry Sri Basavanna devara Nandi Dwaja, Rudrana Haliga and Sword, that Heggades wearing Linga should not touch them, that if Heggades perform the utsava, the archaks would carry the above three Paraphernalia and attend to worship and offer Naivedya, and that if Government should enforce the opinion of the Agamiks by compelling them to give these three Articles to the Heggades, they would give up the archaks' services and the Inam lands.

7) The Sub Division officer in his order dated 30-9-1939 has observed that while the right to perform utsava has been conceded to both parties, no mention has been made as to who should carry Nandi Dwaja in the processions, that it is clear from the records that this has invariably been done by archaks, that there is certainly no case in which Nandi Dwaja was carried in procession without the attendance of the archaks that the right claimed by the Heggade that all the [illegible] should be handed over [illegible] has not been conceded [illegible] occasion and it [illegible] however, have the right [illegible] carrying of Nandi Dwaja

provided the ceremonies are performed by the archak. Again on another petition filed by Naga Heggade, the Sub-Divisional Officer ordered on 10-10-1939 that the party cannot claim the right to personally carry Nandi Dwaja, that he may take out a procession on a day fixed by the Amildar, and that the archak would do the actual carrying of the Nandi Dwaja on the occasion.

3) Against the above orders of the Sub-Division Officer, Naga Heggade appealed to the Deputy Commissioner. The Deputy Commissioner in his order No. Misc. Appl. 3 of 39-40 dated 6-2-1940 observed that according to the terms of compromise contained in the agreement of both parties (Lingayets and Naga Heggade) dated 29-3-1935 filed before Government, the operative clause therein is as follows:

"To hold the Procession along with carrying Nandi Dwaja and Deity exclusively on particular days and similarly the Respondent may be permitted to do so on other days," that this clause means that each party should exclusively carry out the procession with the usual "Birudus" allowed to the Temple without the interference of the other party, that the archak is a Temple servant and he has to carry out orders and attend to the functions without constituting himself a third party, that regarding the fact that the archak was not a party to the agreement before Government, he, (Deputy Commissioner) is of opinion that he has no place in the dispute as he is a temple servant liable to removal at the pleasure of Government, that according to the opinion of the Agamik, Nandi Dwaja" may be carried by the Heggades after the Idol is tied to the Pole subsequent to the performance of Puja by the Pujari who should follow the procession for further Mangalaratti functions, that he sees no objection to this arrangement, that the Sub-Division officer's order is not clear on the point, and that the Heggades may be given license to perform the Uthsavam as stated above. He dismissed set aside the order of the Sub-Division officer and allowed the appeal of Naga Heggade, subject to the above condition.

It is against this order of the Deputy Commissioner, the present appeal is filed by Pujari Bhadraiah on the following main grounds:-

i) The respondent who represents the Kumbars cannot claim to worship the Deity and much less to have the Deity installed on the Nandi Dwaja and carry it in procession

OFFICE OF THE No. 2 BANGALORE

ii) There are no temples in which Sri Basaveswaraswamy is worshipped by non-lingayets in the formal way of carrying the Deity on Nandi Dwaja.

iii) The Nandi Dwaja and other paraphernalia are appendages to the Deity which is a purely Lingayet one.

iv) The Compromise petition only means that the Curators might arrange for a procession, or to take part in a procession but at their own expense. They themselves take the Deity and handle it so as to hurt the religious susceptibilities of the Lingayet Community and the Pujari (Appellant).

v) The lower Court erred in relying on the Agamik's opinion, who is competent to speak on Vedic religion but not the Lingayet religion preached by Sri Basaveshwara.

vi) The opinion of any Lingayet Mutt, like the Sri Murugha Mutt, the Sri Balehonnur Mutt, or the Sri Siddaganga Mutt, could be solicited.

vii) The man who carries the Dwaja has to touch the Deity as in the course of carrying it requires adjustment to lower it, etc., and these practical aspects are ignored.

viii) The Lower Court's order is opposed to custom and usage and it may be set aside.

9) The Agent of the Sri Rambhapuri Veerasimhasana Mutt at Balehonnur (Camp Mudugunda) has replied that the immoveable (installed) and the moveable (Ashtaswa) deities and similar holy articles which are consecrated according to Shastras, should be touched by persons who have taken up Diksha, according to the custom ~~and~~ in vogue.

Order Dated 20th December 1940.

The Respondent is absent, though at the last hearing, he undertook to bring his Lawyer to argue the case

The procession may be carried out accord to directions given by the Agent of the Sri Rambhapuri Mutt

The Respondent

The Respondent could have the right to take the Idols, etc., but those that carry the Nandi Dwaja, Sword and Kudiana Mahige, should be caste Lingayats.

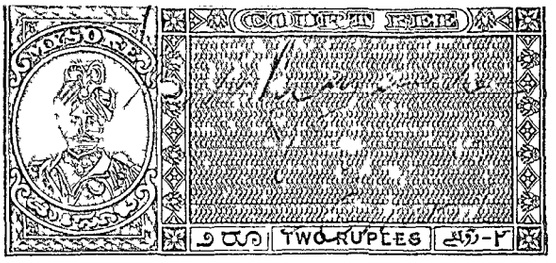
Sd/- S. Abdul Wajid,
Muzrai Commissioner.

"True Copy

By Order,

M.S. Jayachandra 2/1/1941
Manager
Muzrai Commissioner's Office.

Copy Application applied on ... 20-12-1940.
Copy prepared on ... 23-12-1940.
No. of folios ... 1828
Signature ... ...
Name ... Kumarasimha Iyengar 23.12.40.
Copy fee ... Rs. 2-6-0
Comparing fee ... Re. 0-9-6
2-15-6
23-12-40
2-1-1941



Before his Excellency
the Governor of Mysore at Bangalore.

ಕೋರ್ಟಿಗೆ.

1930—1931 ನೇ Mug A ನಂಬರು.

ವಾದಿ ಯಾ ಅರ್ಜಿದಾರ್.

ಪ್ರತಿವಾದಿ ಯಾ ಅಪ್ಪೋನೆಂಟ್.

Naga Heggade } Vs. { Pujari Bhavaya.

ಮು|| ರಾ|| ಯಂ. ನಾರಾಯಣರಾವ್, ಎಂ.ಎ., ಬಿ.ಎಲ್., ಅಡ್ವೊಕೇಟ್ ಯವರಿಗೆ.

A. Narayana Rao.

ಬರೆಸಿಕೊಟ್ಟ ವಕಾಲತ್ ನಾಮಾ.

ಈ ಮೊಕದ್ದಮೆಯಲ್ಲಿ ತಾವು ನನ್ನ ವರವಾಗಿ ಆಪೈರುವರಿಗೂ ಕೋರ್ಟಿನಲ್ಲಿ ವಿವಾದ ಜರಗಿಸುವುದಕ್ಕೂ ನನ್ನ ವರ ಆಗುವ ಎಲ್ಲಾ ವಿಧವಾದ ಆರ್ಡರನ್ನೂ ಡಿಕ್ರಿಯನ್ನೂ ಜಾರಿಕ್ರಮ ನಡಿಸಿ ಹಣ ವಸೂಲು ಮಾಡಿಕೊಳ್ಳುವುದಕ್ಕೂ, ನನಗೆ ಕೋರ್ಟಿನಿಂದ ಸಲ್ಲಬೇಕಾಗಿರುವ ಡಿಕ್ರಿ ಮೊಬಲಗು, ಶಿಲ್ಕು ಮೊಬಲಗು ರೀಸಂಡು ನ್ಯಾಂಪು ಮೊಬಲಗು ದಸ್ತೈವಜು ವಗೈರೆಗಳನ್ನು ವಾಪಸು ಪಡೆಯಲಿಕ್ಕೂ ಸೂಕ್ತ ಯಾ ಯುಕ್ತ ತೋರುವಂತೆ ರಾಜಿ ವಗೈರೆ ಮಾಡಿಸಲೂ ಸಹ ತಮಗೆ ಈ ಮೂಲಕ ಸಂಪೂರ್ಣ ಅಧಿಕಾರ ಕೊಟ್ಟಿರುತ್ತೇನೆ. ನನಗಾಗಿ ನೀವು ಮಾಡಬಹುದಾದ ಎಲ್ಲಾ ಕೋರ್ಟು ಖರ್ಚುಗಳಿಗೂ ಮತ್ತು ನನ್ನಿಂದ ನಿಮಗೆ ಸಲ್ಲಬೇಕಾದ ಬಾಕಿ ಫೀಜಿಗೂ ನಾನು ಬದ್ದನಾಗಿರುವುದಲ್ಲದೆ ತಾವಾಗಲಿ ಯಾ ತಮಗೋಸ್ಕರ ಮತ್ಯಾವ ಲಾಯರಾಗಲಿ ಡಿಟೋ ಮೊಕದ್ದಮೆಯ ಲ್ಲಿ ನಡಿಸುವ ಎಲ್ಲಾ ಕೆಲಸಗಳನ್ನು ನಾನು ಖುದ್ದು ಇದ್ದು ನಡಿಸಿದಂತೆ ಒಪ್ಪಿಕೊಳ್ಳಲು ಬದ್ದನಾಗಿ ಇದ್ದೇನ.

L. T. Naik
Naga Heg.

ರುಜು

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಕೊಟ್ಟವರು ನನಗೆ ಪರಿಚಯಸ್ತರಾಗಿ ನನ್ನ ಸಮಕ್ಷಮ ರುಜುಮಾಡಿರುತ್ತಾರೆ

ತಾರೀಖು 3/1/1931.

ಈ ಮೊಕ್ತ್ಯಾರುನಾಮಾ ಅಂಗೀಕರಿಸಿ ಇದೇನೆ.

Naga Heg.

ಶ್ರೀ ವಿಜಯ ಲಕ್ಷ್ಮೀ ವಿಲಾಸ ಪ್ರೆಸ್, ಬೆಂಗಳೂರು ಸಿಟಿ.

GOVERNMENT OF HIS HIGHNES THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

Bangalore, dated 20 January 1941

No. 1938 Gen I
Agg 246.40.2

FROM

The Secretary to the Government of His Highness
the Maharaja of Mysore.

General Department.

The Amildar Commissioner in Mysore,
Bangalore.

Sir,

In forwarding herewith the petition dated 3rd January 1941 of Naga Hegde, Anjanapur, Closepet Taluk (* to be obligingly returned) appealing against your order regarding his claim for carrying Nandi Dhwaja and other paraphernalia during the Utsavam of Sri Basaveswaraswami at the place, I am directed to request you to be so good as to submit the entire records connected with the case together with a detailed report.

I have the honour to be,
Sir,
Your most obedient servant,

For Secretary to Government,
CKD General Department.

F G—1]

CT.....

2 Calls

Section Mysore

File No. 246-40

Serial No 2

No. 1938/Genl.

To The D C

Sir

In forwarding herewith the petition of Naga Hegde, Anjanapur, blosepet Tk (to be obligingly returned) I am directed to request you to be supplied with the entire connected with the case Submit Records regarding the petition of Payan Bhadrayya of Anjanapur on the subject of carrying Nandi dhwaja in procession by bangalis

I have the

For Genl

CKV

Date of issue..... 20-1-41.

Signed by W. L. K. V.

appealing against his claim for carrying Nandi Dhwaja and other paraphernalia during the utsavam of Sri Ramaswamy at the Mela

List of enclosures . . . . . 2 copies of petition

Copied by

Examined by . . . . . .

WD 03695—GPB—30,000—29 1 40

OFFICE OF THE MUZRAI COMMISSIONER
IN MYSORE,

3 files

Bangalore, ... February 25, ... *1941.*

Muz 246-40-3

RUKN-UL-MULK
S. ABDUL WAJID, B.A.,
Muzrai Commissioner in Mysore.

SECRETARIAT
27 FEB 1941
1259
MYSORE

To

J. Appaji Gowda, Esq., B.A.(Hon.),
Secretary to the Government of His Highness
the Maharaja of Mysore,
General ..... *Department.*

GENERAL SECRET

Muz

SIR,

Appeal of Nagaheggade of Anjanapur, Closepet Taluq, re. carrying Nandi Dhwaja, etc., during the Utsava of Sri Basaveswaraswamy.

With reference to your letter No.1938/Muz.246-40-2 dated 20-1-1941, forwarding the above petition, I have the honor to forward herewith, the marginally* noted files on the subject; and to state that the facts of the case have been explained in this Office Appeal Order No.25/39-40 dated 20-12-1940.

UDI The petition received with your letter is returned herewith.

I have the honor to be,

Sir,

Your most obedient servant,

M. N. Ramachar.
Assistant Commissioner,
For Muzrai Commissioner.
(Absent from Headquarters).

RM W *1) This Office file No.App.25/39-40.

2) District Office file No.Muz.App1 3/39-40.

3) File of correspondence ending with Closepet Sub Division Officer's Memo No.A.824/40-41 dated 19-2-1941.

V. KRISHNAMURTHI, B.Sc., B.L.
ADVOCATE
SUBEDAR CHATTRAM ROAD
BANGALORE CITY

TWO RUPEES

Before the Government of His Highness the
~~In the Court of the~~ Maharaja of Mysore
Bangalore
Misc. Appeal 4 of 40-41
~~Suit No.~~ ~~of 194 194~~ .

✓
Plaintiff/~~Appellant~~
~~Petitioner/Complainant~~

~~Defendant~~/Respondent
Opponent/Accused

Aga Hegade } Vs. { Pagai Bhadrea

I/We, Poojari Bhadrea the respondent above named do hereby appoint and retain MR. V. KRISHNAMURTHI, B.Sc., B.L., ADVOCATE

to appear for me/us in the above Suit/Appeal/Petition and to conduct and prosecute (or defend) the same and all proceedings that may be taken in respect of any application for Execution of any decree or order passed therein. I/~~We~~ empower my/our Advocate to appear in all miscellaneous and other proceedings incidental to the above mentioned suit or matter till all decrees or orders are fully satisfied or adjusted and to obtain the return of documents and draw any money that might be payable to me/us in the said suit or matter, and I/we do hereby empower my/our Advocate to enter into a compromise in the said suit or matter and any proceedings connected therewith.

ಅಂಕಿತ ಪೂಜಾರಿ ಭದ್ರ

Accepted
V. Krishnamurthi
ADVOCATE
3, Subedar Chattram Road
BANGALORE CITY

Dated 23 · 4 · 1941 .

Personally known to me and signed in my presence.
V. Krishnamurthi

278-40 The Bangalore Press

JECT.....

.....

.....

Section Mm3

File No. 266

Serial No. 4

Diary No. of letter replied to 1004

No. 829.30

To M. M. Narayana Rao M A BL
Advocate
Balepet
Bangalore City

2) M. V. Krishna Moorthy B.Sc. BL
Advocate
Bangalore City

General and Revenue Secretariat

( )

the 19 .

Date of issue 6-11-41

Signed by D.V.S.

Sirs

Appellant :- Naga Heggade
Anjanapura - Closepet TK.

Respondent :- Pujari Bhadraiya
residing at the

—

Subject :- Mysore Hin 4 940-41
re: right to carry Nandi Dhwaja
& paraphernalia during
the Kathotsavam of Sri Basa-
veshwara Swami at Anjanapura
Closepet TK.

List of enclosures.....

Copied by .....

Examined by .....

Dear Sir,

23-6-4

That on the ~~last date~~, when the above Case was called, you represented before the Minister Rev & Finance, that two Second Members of Council, that a Compromise would be likely effected & ~~prayed for an adjournment~~ that he can report further. ~~The Case was accordingly adjourned~~ - So far ~~to-day~~ no Compromise ~~offer~~ has been received ~~from you~~, ~~the~~ I am in anxiety of Case will be reported for hearing the Compromise if a reply is not received has been effected within a fortnight. I the Case may be closed

Yours faithfully,

for

G/Clerk

GS
5/11

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat.

Dated Bangalore, 6-11-1941.

D. O. No. 829-30
Judg 248-40-4

MUZRAI Appeal No. 6 of 1940-41 re- RIGHT TO CARRY HINDI RAJA AND OTHER PARAPHERNALIA DURING THE FESTIVAL OF SRI BHAVES-VARASWAMI AT [illegible], HOSPET TALUK, BELLARY DISTRICT

Dear Sir,

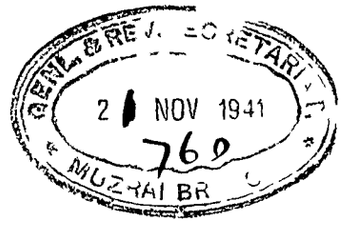
I am directed to state that on the 3rd April 1941, when the above case was called, you represented before the Minister for Revenue and Finance, that a compromise was likely to be effected & that the case may be adjourned. As no compromise has been reported, I am to enquire if the compromise has been effected and the case may be closed.

Yours faithfully,

L

To

1. Sri K. Venkatesa M.A B.L
2. V. Krishna Moorthy B.Sc. B.L
Advocates. Bangalore City



Mwh. 246-40

Before the Government of His Highness the

Maharaja of Mysore, Bangalore.

Muzrai Appeal No. 4 of 40-41.

Appellant. Naga Heggade.

- Versus -

Respondent. Pujari Bhadriah.

Memo for Respondent.

×

Ref: D. O. No. 829-30/Muz. 246-40/D.6-11-41.

The respondent submits that there has been no settlement in the above case.

Bangalore City,

Dated, 19-11-1941. Advocate for Respondent.

20

No. 896
Revenue 246-40-6

GENERAL AND REVENUE SECRETA
Dated Bangalore, 21.11.41

Dear Sir,

I am directed to [illegible] to this office letter No. 829-Z Revenue dt. [illegible], enclosing appeal No. 4 of 1940-41 re-[illegible] and other [illegible] the Tahsildar of [illegible] at Kadur, Chickmagalur District.

grant if a compromise has been effected in the marginal [illegible] case may be [illegible] your reply.

Yours faithfully,

[illegible]

To Narayana Rao, Esquire, B.A., B.L.,
Advocate, Malleput, Bangalore City.

B.V. GS

SUBJECT.....

.....

.....

2 Copies

Section Mis3

File No. 246—40

Serial No. 5

Diary No. of letter replied to.....760.....

No. 896.

To

General and Revenue Secretariat

( )

the *19* .

M. Narayana Rao Esq M.A. M.L.

Advocate. Bellary

Date of issue 21-11-41

Signed by Sd/ S.K.V.

Dear Sir.

I am desired to invite

Mis3 aftl no 4 of 40-41 re: rights to Cmy namdi Dhwaja and other Ranaphanalla during the Rathotsavam of Sri Basaveswara Swamis at Anjanapura - Closed T.K.

Ref^e to this office letter no 829-30 Fem3 of 6/11/41 enquiring if a Compromise has been effected in the Tadipatri Civil suit referred to, and to request you to kindly expedite the disposal which is provided for

List of enclosures.....

Copied by .....

Examined by .....

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

General and Revenue Secretariat.

Dated, Bangalore, 20 January 19

FROM

The Secretary to the Government of His Highness the Maharaja of Mysore.

General Department.

To

M. Narayana Rao, Esq., M.A., B.L.,
Advocate, Balepet,
Bangalore City.

Dear Sir,

I am desired to invite reference to your letter No./40 dated 19th December 1941 regarding settling out of Court Huzuri Case No.4* of 40-41 regarding a right to carry Nanai Dhwaja and other paraphernalia during the Rathotsavam of Sri Basaveswaraswami at Anjenapur Closepet Taluk and to request you to kindly state if there is any possibility of an amicable settlement in the matter, and if not, whether the case may be posted for hearing. A reply within 25th January 19 is requested.

Appellant:- Naga Heggade
Respondent:- Pujari Bhadraiya.

Yours faithfully,

for Secretary to Government
General Department.

CKO

BJECT.....

2 Cases

Diary No. of letter replied to ..GEO..

General and Revenue Secretariat

( )

the *19* .

Date of issue 21-1-42

Signed by H.S.K.V.

Appellant :— Nagg Heggade

Respondent :. Pujari Khadrayya

List of enclosures

Copied by

Examined by

Section 17(3)

File No.

Serial No.

No. 1205

To

H. Narasimha Rao Esq MA BL.

Advocate Retired

Bangalore City.

Dear Sir,

I am desired to invite reference in our letter No /GO of 19-12-41 re: settling out of court Mysore Case No. 4 of 1940 re: a right to carry Nandi Dhwaja & other Paraphernalia during the Rathotsavam of Sri Basaveswara Swami at Agrahara Closepet & to request you to kindly state ~~if the case may be~~ posted

~~Leaving~~ of time is the possibility of
~~Effecting assisting at~~ an amicable
settlement in the matter if not whether the two
must proved for
Yours faithfully
Loan
Available until
20.1.62 as
requested
Torben Lee

SS
20/1/62

OFFICE OF THE MINISTER
FOR FINANCE & REVENUE
22 JUL 1942
No 686

Before the Minister for Finance & Revenue to
the Government of His Highness the Maharaja o
Mysore, BANGALORE:

My it please your honour,

I, the undersigned advocate, beg to state as follows:-

I am engaged in arguments in R.A.66 of 1940-41 before the High Court. The case is part-heard and is going on from day to day and is not likely to be over this week.

Muzrai Appeal No.4 of 1940-41 and Rev.Petition No,9 of 1940 41 are both set down for hearing for the 24th instant, on which date, I humbly beg to submit, that I will not be able to absent myself from the High Court in order to argue the above two petitioners.

In these circumstances, I respectfully pray that these two cases may be taken towards the - end of next week or any other date suited.

I beg to remain,
Sir,
Yours respectfully,

Bangalore,
Dated 22nd July 1942.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read

MUZRAI APPEAL NO.4 of 1940-41.

Appellant:- Naga Heggde, Anjanapur Village, Closepet Taluk.

-vs-

Respondent:- Pujari Bhadriah, Archak of Sri Basaveswaraswami Temple at Anjanapur Village.

Subject:- Right to carry Nandi Dhwaja and other paraphernalia during the Rathothsava of Sri Basaveswaraswamy at Anjanapur Village.

The facts of the case are explained clearly in the order of the Muzrai Commissioner.

The case came up for hearing finally on 28th January 1943. Counsels for ~~the~~ the Appellant and the Respondent were present and heard.

ORDER NO. R 862-7/43-44 Dated, Bangalore, the 22nd April 1943.

The Muzrai Commissioner's order based upon the opinion given by Sri Balahonnur Mutt, viz., that the Mulaswamy and Utsava idols and other holy objects could be touched only by those who have taken Deeksha according to custom, is correct. In regard to the appellant's contention that he is competent as he has taken Deeksha, Government consider that it is a matter for him to substantiate by adducing proof and direct that the Deputy Commissioner, may give him an opportunity to do so.

2. The appeal is therefore dismissed.

For General Secretary to Government.

To the Muzrai Commissioner in Mysore, with the records.
" " Deputy Commissioner, Bangalore District.

P.T.O.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

MUZRAI APPEAL NO.4 of 1940-41.

Appellant:- Nage Heggde, Anjanapur Village, Closepet Taluk.

-vs-

Respondent:- Pujari Bhadriah, Archak of Sri Basaveswaraswami Temple at Anjanapur Village.

Subject:- Right to carry Nandi Dhwaja and other paraphernalia during the Rathotsava of Sri Basaveswaraswamy at Anjanapur Village.

The facts of the case are explained clearly in the order of the Muzrai Commissioner.

The case came up for hearing finally on 20th January 1943. Counsels for both the Appellant and the Respondent were present and heard.

Order No. R & B 23-4/Muz.246-40-8.

Dated, Bangalore, the 22nd April 1943.

The Muzrai Commissioner's order based upon the opinion given by Sri Balehonnur Mutt, viz., that the Mulswamy and Utsava idols and other holy objects could be touched only by those who have taken Deeksha according to custom, is correct. In regard to the appellant's contention that he is competent as he has taken Deeksha, Government consider that it is a matter for him to substantiate by adducing proof and direct that the Deputy Commissioner, may give him an opportunity to do so.

2. The appeal is therefore dismissed.

For General Secretary to Government.

The Muzrai Commissioner in Mysore, with the records.
" Deputy Commissioner, Bangalore District.

PROCEEDINGS OF THE GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE.

Read:-

MUZRAI APPEAL NO.4 of 1940-41.

Appellant:- Naga Heggde, Anjanapur Village, Closepet Taluk.

-vs-

Respondent:- Pujari Bhadriah, Archak of Sri Basaveswaraswami Temple at Anjanapur Village.

Subject:- Right to carry Nandi Dwaja and other paraphernalia during the Rathothsava of Sri Basaveswaraswamy at Anjanapur Village.

The facts of the case are explained clearly in the order of the Muzrai Commissioner.

The case came up for hearing finally on 28th January 1943. Counsels for both the Appellant and the Respondent were present and heard.

ORDER NO. R.8623-4/Muz.246-40-8

Dated, Bangalore, the 22nd April 1943.

The Muzrai Commissioner's order based upon the opinion given by Sri Balehonnur Mutt, viz., that the Mulaswamy and Utsava idols and other holy objects could be touched only by those who have taken Deeksha according to custom, is correct. In regard to the appellant's contention that he is competent as he has taken Deeksha, Government consider that it is a matter for him to substantiate by adducing proof and direct that the Deputy Commissioner, may give him an opportunity to do so.

2. The appeal is therefore dismissed.

For General Secretary to Government.

The Muzrai Commissioner in Mysore, with the records.
" Deputy Commissioner, Bangalore District.

...7.

Proceedings of the Govt. of His Highness the Maharaj of Mysore.

Muzrai Appeal No 4 of 1940-41

Appellant :- Naga Heggde, Anjanapura Village

vs.

Respondent :- Pujar Bhadrian, Archak of Sri Basaveshwaraswamy Temple at Anjanapur Village.

Subject :- Right to carry Nandi Dhwaja and other paraphernalia during the Rathotsava of Sri Basaveshwara Swamy at Anjanapur Village.

The facts of the case are ~~as follows~~ explained clearly in the (Paras Nos 11 (xiii) in the typed note to be incorporated here.) order of the Mr

The case came up for hearing finally on 28th January 1943. Counsels for both the Appellant and the Respondent were present & heard

ORDER No. R. 8623-4 | Muz 246-40-8 | Encl. 46 Files
Dated 22nd April 1943.

The Muzrai Commissioner's order based upon the opinion given by Sri Balekonnur Shastri, ~~is correct~~ viz, that the Mulaswamy and utsava idols and other holy objects could be touched only by ~~him~~ who have taken Deeksha according to Custom, is correct. ~~Govt. Consider that~~ In regard to the appellant's contention that he is competent as he has taken Deeksha, Govt. consider that it is a matter for him to substantiate by adducing proof and direct that the DC may give him an opportunity to do so.

2- The appeal is therefore dismissed.

The M.C. with the records

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Mr W/Lefroy
eral Secretary to Govt